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4 EFREN FREGOSO,  
5  
6 Petitioner,  
7  
8 v.  
9  
10 MARION E. SPEARMAN,  
11 Respondent.

Case No. [19-cv-07534-WHO](#) (PR)

**ORDER OF DISMISSAL**

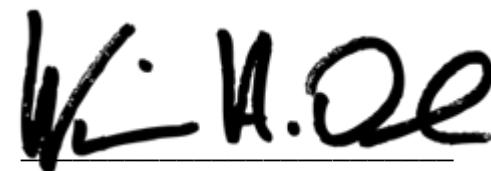
12  
13 Petitioner Efren Fregoso has not filed an amended petition by the deadline, which  
14 was extended at his request. Accordingly, the action is DISMISSED (without prejudice)  
15 for failing to comply with the Court's order to file an amended petition, and for failing to  
16 prosecute, *see* Federal Rule of Civil Procedure 41(b).

17 Because this dismissal is without prejudice, Fregoso may move to reopen. Any  
18 such motion must contain an amended petition (on this Court's form) that complies in all  
19 respects with the order dismissing the petition with leave to amend.

20 The Clerk shall enter judgment in favor of respondent, and close the file.

21 **IT IS SO ORDERED.**

22 **Dated:** August 10, 2020

  
23 WILLIAM H. ORRICK  
24 United States District Judge  
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